

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed August 13, 2003. In order to advance prosecution of this case, Applicants submit the following arguments. Applicants respectfully request reconsideration and favorable action in this case.

Section 102 Rejections

The Examiner rejects Claims 1-2, 4, 8-9, and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,563,882 issued to Bruno et al ("*Bruno*"). Claim 1 recites "transferring the conference call from the first call resource to the second call resource without suspending communication of a plurality of mixed media streams received by the clients." Claim 21 recites "a processing module coupled to the interface, the processing module operable to transfer the conference call from a first call resource to a second call resource without suspending communication of a plurality of mixed media streams received by the clients." At the very least, *Bruno* fails to describe, either expressly or inherently, the quoted limitations of Claims 1 and 21. Because *Bruno* fails to describe, expressly or inherently, each and every element of the rejected claims, Applicants respectfully submit that *Bruno* fails to anticipate the rejected claims.

In rejecting the claims based on *Bruno*, the Examiner suggests that "the initial participants [in a point-to-point multimedia call of *Bruno*] may be construed to be mutual first call resources" (Office Action, p. 3, end of first paragraph), and that the MCU (conference bridge) of *Bruno* shows the recited second call resource. But if that is the case, then *Bruno* fails to describe "transferring the conference call from

the first call resource to the second call resource." As the Examiner concedes, the participants in the original point-to-point conference call are still being used in the multipoint bridged conference call, but they communicate indirectly through the MCU, not directly with one another. But changing the mode of operation does not show a transfer of the conference call from the first call resource. Indeed, the multipoint bridging conference of *Bruno* merely adds a second call resource to be used in conjunction with the first call resource.

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This deficiency of *Bruno* is made even clearer by the additional limitations of the rejected dependent claims. For example, as part of the "transferring the conference call" step, Claim 8 recites "terminating the first mixed media stream to end communication with the first call resource upon confirming that a modified second mixed media stream is valid." If, as the Examiner asserts, the initial participants of the point-to-point multimedia call show the first call resource of Claim 8, then the recited terminating step would have to end communication with the other participant. But, in fact, the initial participants continue to communicate indirectly through the MCU. Thus, *Bruno* fails to show the particular transferring step recited in Claim 8.

*"Your Examiner
conflicts
with
"seamless"
Biggs*

For at least the reasons presented above, Claims 1 and 21 and their dependent claims are allowable over *Bruno*. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1, 21, and their dependent claims.

Section 103 Rejections

The Examiner rejects Claim 3 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of U.S. Patent No. 4,477,895 issued to Casper et al. ("Casper"). Claim 3 depends on Claim 1, which is allowable for at least the reasons stated above. For at least those reasons, Applicants respectfully request reconsideration and allowance of Claim 3.

The Examiner rejects Claim 5 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of U.S. Patent No. 5,467,342 issued to Logston et al. ("Logston"). Claim 5 depends on Claim 1, which is allowable for at least the reasons stated above. For at least those reasons, Applicants respectfully request reconsideration and allowance of Claim 5.

The Examiner rejects Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of U.S. Patent No. 6,081,513 issued to Roy. ("Roy"). Claim 6 depends on Claim 1, which is allowable for at least the reasons stated above. For at least those reasons, Applicants respectfully request reconsideration and allowance of Claim 6.

The Examiner rejects Claims 7 and 10 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of U.S. Patent No. 5,625,407 issued to Biggs et al. ("Biggs"). Claim 7 depends on Claim 1, which is allowable for at least the reasons stated above. For at least those reasons, Applicants respectfully request reconsideration and allowance of Claim 7.

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see claim 1
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Claim 10 recites "the media gateway further operable to transfer the conference call from the first call resource to the second call resource without suspending communication of a plurality of mixed media streams received by the clients." As noted above, *Bruno* fails to describe, either expressly or inherently, transferring a conference call from a first call resource to a second call resource. The *Biggs-Bruno*

combination does not provide any additional teaching, hint, or suggestion of the transfer of a conference call from a first call resource to a second call resource, nor would such an element be obvious from the *Biggs-Bruno* combination. For at least these reasons, Applicants respectfully submit that Claim 10 is allowable over the cited references, and respectfully request reconsideration and allowance of Claim 10.

The Examiner rejects Claims 19-20 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of *Biggs* and U.S. Patent No. 6,275,575 issued to Wu ("Wu"). Claims 19-20 depend on Claim 10, which is allowable for at least the reasons stated above. For at least those reasons, Applicants respectfully request reconsideration and allowance of Claims 19-20.

The Examiner rejects Claims 11-18 for reasons analogous to those presented with respect to Claims 2-9. Claims 11-18 depend on Claim 10, which is allowable for at least the reasons stated above. Furthermore, Claims 11-18 are allowable over the cited references for any additional reasons analogous to those presented above with respect to Claims 2-9. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claim 11-18.

The Examiner rejects Claims 22-29 for reasons analogous to those presented with respect to Claims 2-9. Claims 22-29 depend on Claim 21, which is allowable for at least the reasons stated above. Furthermore, Claims 22-29 are allowable over the cited references for any additional reasons analogous to those presented above with respect to Claims 2-9. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claim 22-29.

The Examiner rejects Claims 30-38 for reasons analogous to those presented with respect to Claims 1-9. Claim 30 is

allowable for at least reasons analogous to those presented above with respect to Claim 1. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claim 30 and its dependent claims.

The Examiner rejects Claims 39-40 for reasons analogous to those presented with respect to Claims 1-2. Claim 39 is allowable for at least reasons analogous to those presented above with respect to Claim 1. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claim 39 and its dependent Claim 40.

CONCLUSIONS

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

No fees are believed to be due, however, the Commissioner is hereby authorized to charge any other fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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Date: Nov. 12, 2003

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